

Environmental Health Referral Response - commercial use

Application Number:	DA2019/0845
To:	David Auster
Land to be developed (Address):	Lot A DP 961049 , 68 A Queenscliff Road QUEENSCLIFF NSW 2096

Reasons for referral

This application seeks consent for one or more of the following:

- Food premises, or
- Backpackers/Boarding house, or
- Mortuary, or
- Skin penetration, accupuncture, tattoo, beauty salon, or
- Public pool

And as such, Council's Environmental Health and Protection officers are required to consider the likely impacts.

Officer comments

General Comments

Primary concerns are with regards to noise from the commercial occupations , mechanical ventilation, plant and the rooftop deck.

Despite a kitchen fit out being shown for commercial unit No 1 it is noted that commercial units will be subject to a separate development application at which time the acoustic implications and fit out requirements for the kitchen including mechanical exhaust can be taken into consideration.

For the residential component , basement mechanical exhaust can be dealt with by way of a condition relating to the acoustic engineers report.

Concern is expressed for the rooftop terrace areas.

The applicant is proposing to restrict " groups" of people using these areas between 10 pm and 7 am however I believe the condition should relate to any use of the area, as it is difficult to define and police a group.

Therefore Environmental Health believe that the application can be approved provided robust conditions are put in place with regards to Environmental Health issues

Recommendation

APPROVAL - subject to conditions

Recommended Environmental Health and Protection Conditions:

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Excavation noise

1. Before excavation/rock cutting commences a meeting (community consultation) with likely affected neighbours by the builder/applicant shall be carried out, where the intended program of rock removal and noise reduction measures, are to be outlined and residents be included in an (email or phone) electronic notification system at least 24 hours in advance of the noisiest work times (and likewise any no work days) so they have the opportunity where possible of not being present or managing noise receipt during this process.

That neighbours be supplied with a 24 phone number for any enquiries or complaints and these calls be documented.

2. The construction Noise Management Plan Prepared by Classic Plans July 2019 being complied with.

Reason: To minimise the disturbance to the amenity of neighbours.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Approval required for commercial units food premises use

The fit out of commercial units 1 and 2 are to be the subject of a separate development applications which will deal with potential noise and any cooking processes and compliance with [Australian Standard AS 4674 – 2004 – ‘Design, Construction and fit-out of food premises’](#)

Reason: To ensure that separate development application be submitted for the commercial units for consideration of amenity and food safety issues.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Acoustic Assessment

That prior to the occupation of the building a certificate shall be supplied from a suitably qualified person that the acoustic requirements as stated within the Acoustica Pty Ltd -report number 0619 version A. (or as amended to comply) have been complied with.

Reason: To ensure that acoustic standards are compliant to maintain amenity.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Use of Common Area Roof Top Terraces

Use of the rooftop common terrace areas being restricted for use only between 7 am and 10 pm at night.

This condition being incorporated in the Strata Plan Bi laws.

Reason: To protect the residential amenity of the neighbouring premises